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TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTIONS OVER "PRIOR" PATENTS

In re Application of:

Donaldson J. Emch

Serial No. 10/653,335

Filed: September 2, 2003

For: MULTI-STAGE PROCESSES FOR

COATING SUBSTRATES WITH MULTI-COMPONENT COMPOSITE COATING

COMPOSITIONS

Patent Application

Group Art Unit: 1762

Examiner: M. L. Padgett

Confirmation No. 2935

PPG Case No. 1489P4

The owner, PPG Industries, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior Patent No. 6,579,575 as the term of said prior patent is defined in 35 U.S.C. §154 and §173, and as the term of said prior Patent No. 6,579,575 is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior Patent No. 6,579,575 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 and §173 of the prior Patent No. 6,579,575, as the term of said prior Patent No. 6,579,575 is presently shortened by any terminal disclaimer, in the event that said prior Patent No. 6,579,575 later:

Expires for failure to pay a maintenance fee;

is held unenforceable;

Is found invalid by a court of competent jurisdiction;

10/653,335

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Terminal Disclaimer

PAGE 3/16 * RCVD AT 1/10/2005 1:08:48 PM [Eastern Standard Time] * SVR:USPTO-EPXRF-1/0 * DNIS:8728306 * CSID:7248345461 * DURATION (mm-es):05-64